IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.10120 OF 2004

Dnyandeep CHS Ltd. ..Petitioners.

Vs.

The Assistant Registrar, (C.S.)

SRA & Ors. ..Respondents.

...

Mr.M.C.Shah with Mr.R.R.Sharma for the Petitioners.

Mr.D.A.Patil, AGP for the State.

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CORAM : DR.D.Y.CHANDRACHUD, J.

15th April, 2005.

P.C. :

By the impugned order registration has been granted to the co-operative society (the Second Respondent) formed of the purchasers of premises in the free sale component of a slum rehabilitation scheme. The impugned order notes that the rehabilitation component and the free sale components were provided with separate water tanks,

separate electric meter, separate lift, separate entrance and separate amenities by the builder with a view to form separate societies under the slum rehabilitation scheme. A separate assessment has been carried out by the Municipal Corporation and it has been observed that a boundary wall was also constructed. In view of the circular of the Government dated 23rd April, 2001, it has been held that separate registration could be granted to the purchasers of premises in the free sale component. The interference of the Court under Article 227 is not warranted. The Petition is rejected.